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09/688,462	10/16/2000	Gotthard Schmid	A-2569	3793

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EXAMINER

YAN, REN LUO

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 09/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/688,462

Applicant(s)

SCHMID, GOTTHARD

Examiner

Ren L Yan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003 and 02 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 14, 16 and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Pensavecchia(5,660,108). The patent to Pensavecchia teaches the detailed structure of a modular printing machine as claimed including a first printing unit 200 having a central impression cylinder 222 and four printing devices 224a-224d assigned thereto and a second printing unit 300 having a second impression cylinder 322 and a sheet feeding device disposed upline of the second impression cylinder 322, and a perfecting assembly 400 serving as a coupling device for selectively coupling the first and second printing units to one another for in line operation. The perfecting assembly including a reversing cylinder for reversing and feeding the sheet from the first printing unit to the second printing unit. Each of the printing units also has its own feeding device and an adjusting device assigned for register correction of the sheet to the feeding device and therefor to the impression cylinder. The detailed structure of the sheet feeding device is shown in Fig. 1 of Pensavecchia wherein a front stopper (fingers) 77a moves vertically to register the sheet to be parallel with the axis of the impression cylinder and a conventional means is activated to push the sheet horizontally against a side guide to assure that the sheet is squared up and is in the correct axial position relative to the impression cylinder. The vertically and horizontally movable elements of the adjusting device form part of the sheet feeding device and are displaceable for adjusting and correcting registration of the sheet feeding device with respect

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to the impression cylinder. See Figs. 1, 2 and column 4, lines 46-53 in Pensavecchia for details.

Claim 19 is a broader version of claim 1, and therefore is met by the teaching of Pensavecchia.

With respect to claims 18 and 20, to adjust the sheet feeding device with respect to the impression cylinder of each printing unit during the printing operation after the two printing units have been coupled is an inherent feature of the printing machine in Pensavecchia.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-11, 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pensavecchia in view of Mueller et al(5,802,973) and Drapatsky et al(5,103,733). The '108 patent teaches all that is claimed with the exception that the '108 patent does not appear to use sheet sensors in the adjusting device for register correction of the sheet to the feeding device. The patent to Mueller et al teaches in a multicolor sheet-fed printing machine the conventionality of using a sheet position sensor 3 assigned to an impression cylinder to sense the position of the sheet being printed. The sheet position sensor 3 belongs to a register-adjusting device which affords circumferential, side, and diagonal register adjustments of each of the plurality of printing units. See Figs. 1 and 2, column 5, lines 22-38 and column 6, lines 35-59 in Mueller et al for example. Drapatsky et al teach in a sheet-fed printing machine the conventional use of multiple photo-sensors to monitor the positions of the sheets being processed in relation to the angular position of the impression cylinder and electronic control means provided to adjust the position of the sheet to register the sheets with respect to the position of the printing cylinders.

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See Figs. 4-8 in Drapatsky et al for example. In view of the teachings of Mueller et al. and Drapatsky, it would have been obvious to those having ordinary skill in the art to provide the printing machine of the '108 patent with the sheet register- adjusting device having multiple sheet sensors appropriately disposed as taught by Mueller et al and Drapatsky in order to ensure proper registration of the sheets with respect to the various printing units and the printing quality. With respect to claim 15, to apply the teaching of '108 patent to the known printing units as recited in order to achieve multi-color perfecting printing on a sheet by those having ordinary skill in the art would have been most obvious.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pensavecchia in view of Giori et al(6,101,939). Pensavecchia teaches all that is claimed except that the two impression cylinders appear to be the same size. The patent to Giori et al teaches in a sheet fed rotary printing machine the conventionality of using two impression cylinders 2 and 21 of different sizes based on the number of colors each impression cylinder is used to print. It should be pointed out that blanket cylinder 2 serves as an impression cylinder for blanket cylinder 3 and vice versa and is used to print four colors. Impression cylinder 21 is only used for two-color printing and therefore is of a smaller size. See the figure in Giori et al for example. It would have been obvious to those having ordinary skill in the art to provide the printing machine of Pensavecchia with a smaller second impression cylinder as taught by Giori et al to save manufacturing cost and operating space if less than four colors are printed by the second printing unit.

Applicant's arguments filed on 6-24-2003 and 7-2-2003 have been fully considered but they are not persuasive. Applicant's argument that Pensavecchia does not disclose a displaceable

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feeding device because only the accelerating rollers 72a and 72b of Pensavecchia can be considered as the feeding device, which is not displaceable, is not agreed to by the examiner. Applicant's interpretation of what constitutes the feeding device of Pensavecchia is too narrow and not acceptable. Rollers 72a and 72b of Pensavecchia are components of an overall sheet feeding device which should include sheet feeder structure 58, sheet registration station 77 and accelerating rollers 72a and 72b as shown in Fig. 1. To consider the sheet feeding device of Pensavecchia to only consist of accelerating rollers 72a and 72b is unrealistic simply because these two rollers are not normally in direct contact with the sheet being printed. The sheet being printed has to be fed and aligned before it reaches rollers 72a and 72b. Therefore, the sheet feeder 58 and the sheet registration station 77 are all part of an overall sheet feeding device for its intended purpose. Since the present claims only broadly recite a feeding device without defining any structure, it is firmly believed that the overall sheet feeding device as taught by Pensavecchia is more than adequate to meet the requirement of this broad recitation and its functions.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 703-308-0978. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
August 29, 2003